

## REMARKS

Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

In the Final Office Action, the Examiner rejected claim 62, under 35 U.S.C. §102(e), as allegedly being anticipated by Yuyuma '408 (U.S. Patent No. 5,825,408); rejected claims 49, 50, and 58, under 35 U.S.C. §103(a), as allegedly being unpatentable over Yuyuma '408 in view of Kikuchi '791 (U.S. Patent No. 5,052,791); and rejected claim 56, under 35 U.S.C. §103(a), as allegedly being unpatentable over Yuyuma '408 in view of Kikuchi '791 and Ori '658 (U.S. Patent No. 5,872,658).

By this Amendment, claims 49 and 62 have been amended. No new matter has been added. Accordingly, after entry of this Amendment, claims 49, 50, 56, 58, 62 will remain pending in the patent application.

Applicants respectfully traverse the rejections, under 35 U.S.C. §102(e) and §103(a), for the following reasons:

### I. Rejections Under §102(e) & §103(a).

As indicated above, amended claim 49 positively recites, *inter alia*, an optical system comprising *an optical element having a variable optical characteristic*, the optical system having *an imaging function free from influence due to a polarized direction of light*.

Such a feature is amply supported by the disclosed embodiments of the written description. In particular, the disclosed embodiments provide that the optical systems comprise vari-focal lens components. These optical lens components have no polarizing plate. (See, e.g., Originally-Filed Specification: Fig. 4, Fig. 6). It will be appreciated that optical systems comprising a vari-focal lens component having no polarizing plate, have an imaging function free from influence due to a polarized direction of light.

Applicants submit that none of the asserted references teach each and every element of claim 49, including the features noted above. In particular, Yuyuma '408 discloses a portable television receiver **301**. This portable television receiver **301** comprises a lens **331**, a CCD **332**, an LOD **334**, a video memory **343**, a microphone section **306** and a speaker section **307**. (See, Yuyuma '408: Fig. 18; and related descriptions).

Despite the comprehensive teachings, there is nothing in Yuyuma '408 that remotely discloses *an optical element having a variable optical characteristic* – much less, *an imaging function free from influence due to a polarized direction of light*, as required by claim 49.

Furthermore, Kikuchi '791 does nothing to cure the deficiencies of Yuyuma '408 noted above. That is, Kikuchi '791 discloses an objective lens component **12**. Although the objective lens component has an imaging function, the objective lens component **12** contains a polarizing plate **11** disposed in an optical system. As such, Kikuchi '791 fails to suggest *an imaging function free from influence due to a polarized direction of light*, as required by claim 49.

With regard to claim 62, this claim has been amended to recite, *inter alia*, *an optical element having a variable optical characteristic in which the optical element comprises a vari-focal lens component that uses a polymer dispersive liquid crystal layer*. This feature is amply supported by the disclosed embodiments of the written description. In particular, the disclosed embodiments provide a vari-focal lens component **11** which has a polymer dispersive liquid crystal layer **14**. These optical lens components have no polarizing plate. (See, e.g., Originally-Filed Specification: page 14, lines 10-20).

As noted above, Yuyuma '408 discloses a portable television receiver **301** (See, Yuyuma '408: Fig. 18). This portable television receiver **301** comprises the lens **31**, CCD **332**, LOD **334**, Video memory **343** microphone section **306** and speaker section **307**. There is, however, nothing in Yuyuma '408 that remotely suggests *an optical element having a variable optical characteristic in which the optical element comprises a vari-focal lens component that uses a polymer dispersive liquid crystal layer*, as required by claim 62.

Thus, for at least these reasons, Applicants submit that claims 49 and 62 are neither anticipated by nor rendered obvious by the asserted references. As such, claims 49 and 62 are clearly patentable. Moreover, because independent claims 50, 56, and 58 depend from claim 49, claims 50, 56, and 58 are patentable at least by virtue of dependency as well as for their additional recitations. Accordingly, reconsideration and withdrawal of the rejection of claims under 35 U.S.C. §102(e) and §103(a), are respectfully requested.

II. Conclusion.


All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully Submitted,

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